

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 SEAN RODNEY ORTH,

4 Petitioner,

5 v.

6 EIGHTH JUDICIAL DISTRICT COURT  
7 CLARK COUNTY, NEVADA, et al.,

8 Respondents.

Case No. 2:22-cv-00892-APG-DJA

**ORDER**

9 Petitioner, Sean Rodney Orth, has filed a motion (ECF No. 6) requesting a copy of his  
10 original petition and a 15-day extension of time to file an amended petition and application to  
11 proceed *in forma pauperis* (IFP) pursuant to my previous order (ECF No. 3).

12 Orth states in his motion that he interpreted my previous order to require he merely name  
13 his warden as a respondent. (ECF No. 6 at 1.) I take this opportunity to clarify that, as stated in  
14 my previous order, “[t]here is ‘generally only one proper respondent to a given prisoner’s habeas  
15 petition,’ and that is ‘the person with the ability to produce the prisoner’s body before the habeas  
16 court,’ i.e., the warden of the facility where the prisoner is held. (ECF No. 3 at 1–2.)

17 Good cause appearing, I THEREFORE ORDER as follows:

- 18 1. The motion (ECF No. 6) is **GRANTED**, and Orth has until July 6, 2022, to comply  
19 with my previous order (ECF No. 3).  
20 2. The Clerk of the Court is instructed to MAIL Orth a copy of his original petition  
21 (ECF Nos. 1; 1-1; and 1-2).  
22 3. If Orth fails to comply with my previous order (ECF No. 3) by the July 6, 2022,  
23 deadline I will dismiss this action without prejudice and without further advance  
24 notice.

25 Dated: June 22, 2022

26   
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE